

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

GENERAL ELECTRIC COMPANY,

*Plaintiff,*

v.

mitsubishi heavy industries,  
ltd., and mitsubishi power systems  
americas, inc.,

*Defendants.*

CIVIL ACTION NO. 3:10-CV-276-F

**JURY TRIAL DEMANDED**

**mitsubishi's motion in limine**

Defendants Mitsubishi Heavy Industries, Ltd. and Mitsubishi Power Systems Americas, Inc. (collectively "Mitsubishi"), respectfully move for the following:

- (1) to preclude Plaintiff General Electric Company ("GE") from presenting evidence or argument claiming damages under U.S. Patent No. 6,879,055 for wind turbines that were never installed;
- (2) to preclude GE from presenting evidence or argument claiming damages for any infringing acts that occurred before GE filed suit on February 10, 2010;
- (3) to preclude GE from presenting evidence or argument claiming lost profits for sales occurring before U.S. Patent No. 7,629,705 issued;
- (4) to preclude GE from presenting evidence or argument that Mitsubishi "copied" GE's patents or products; and
- (5) to preclude GE from presenting untimely evidence regarding infringement of U.S. Patent No. 6,879,055.

The reasons for this motion and the matters required by the Local Rules are set forth with particularity in the accompanying memorandum in support.

Dated: January 27, 2012

Respectfully submitted,

By: /s/ Jeffrey C. Totten  
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**ATTORNEYS FOR DEFENDANTS**

**CERTIFICATE OF CONFERENCE**

Counsel for Mitsubishi Heavy Industries, Ltd. (“Mitsubishi”) and General Electric Company (“GE”) met and conferred telephonically and via electronic mail on January 26, 2012, and January 27, 2012, regarding Mitsubishi’s Motion. However, the parties have not been able to resolve their differences. Therefore, this matter is presented to the Court for determination.

By: /s/ Jeffrey C. Totten  
Jeffrey C. Totten

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing instrument has been served via the Court's ECF system on all known counsel of record in accordance with the Federal Rules of Civil Procedure on this the 27<sup>th</sup> day of January 2012.

/s/ Lane Fletcher